

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

DYVEX INDUSTRIES, INC., :

Plaintiff : CIVIL ACTION NO. 3:12-0979

v

: (JUDGE MANNION)

AGILEX FLAVORS &  
FRAGRANCES, INC., et al., :

Defendants :

O R D E R

For the reasons set forth in the Memorandum of this date regarding the discovery dispute between the parties, **IT IS HEREBY ORDERED THAT:**

1. Agilex defendants can not depose Michael Ryder and they can not subpoena documents from Computer Visionaries, Inc. seeking all of the data and information recovered by CVI. Agilex defendants' subpoenas to Ryder and CVI are **QUASHED**. Agilex defendants are **NOT PERMITTED** to conduct any further fact discovery regarding the kneader computer hard drive and the CitectSCADA files.
2. Agilex defendants' subpoenas to re-depose Joseph Depoti and Robert Strony are **QUASHED**.
3. Agilex defendants' subpoena to take the deposition of Rebecca Jones is **PERMITTED**.
4. Agilex defendants' subpoena to depose Michael Zazula and subpoena of his records from his former and current employers, Plick & Associates and Investigative Engineering, Inc., are **QUASHED**.
5. Agilex defendants' subpoena for the documents from Community Bank & Trust is **PERMITTED**, including the supporting documentation for the affidavits of William Boyle and William Farber. Agilex defendants' subpoenas to take the depositions of Boyle and Farber are

**PERMITTED.**

6. The supplemental discovery allowed Agilex defendants shall be completed on or before February 29, 2016.
7. Expert witness depositions shall be completed on or before April 29, 2016.
8. The dispositive motions, if any, shall be filed on or before May 31, 2016.
9. The stay of discovery entered on September 22, 2015, is lifted, as noted above.

s/ *Malachy E. Mannion*  
**MALACHY E. MANNION**  
United States District Judge

**Date: December 28, 2015**

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